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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,386	11/19/2003	Naoko Ohmori	1448.1045	5467
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER WIENER, ERIC A	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/715,386

Applicant(s)

OHMORI, NAOKO

Examiner

Eric A. Wiener

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed on 3/29/2007.

This action is made final.

2. Claims 1 – 8 are pending in the case. Claims 1, 7, and 8 are the independent claims. Claims 1 – 8 are the amended claims.

Objections

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The amended claim 7 claims “a computer-readable medium.” Although line 22 on page 10 of the specification discloses a “detachable recording medium,” the explicitly claimed “computer-readable medium” is not disclosed by the specification. Appropriate correction is required.

4. Claim 8 is objected to, because “ansers” on line 2 of the claim is misspelled and should be “answers”.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 – 3, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine et al. (US 7,007,067 B1) in view of Dowling et al. (US 2002/0152045).

As per claims 1, 7, and 8, Azvine discloses an information processing method, a computer-readable medium storing a program, and an information processing apparatus comprising the steps/instructions/means for: extracting information relating to a telephone caller (Abstract and column 37, lines 34 – 49) and displaying, on an information processing apparatus of a first staff, the information relating to the caller in a window (column 30, lines 7 – 25).

Azvine does not explicitly disclose that the method, computer-readable medium, and apparatus include deciding a background color of a window based on a response method specified by a second staff in advance and indicating how to respond to the telephone call or that the displaying of the information relating to the caller in a window should correspond to the decided color.

However, in an analogous art, Dowling discloses *deciding a background color of a window based on a response method specified by a second staff in advance and indicating how to respond to the telephone call or that the displaying of the information relating to the caller in a window should correspond to the decided color ([0143])*, wherein the disclosed user that may

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program and load instructions, ([0143], lines 20 – 31), corresponds to a second staff and any user of the phone corresponds to a first staff.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Dowling with the method, computer-readable medium, and apparatus of Azvine to develop a method, computer-readable medium, and apparatus for extracting and displaying caller information wherein the information is conveyed in a color-coordinated manner. The modification would have been obvious, because it would be useful to provide a way of displaying caller information to a user in a peripheral way so that the user will easily be alerted to the type of information displayed (Dowling, [0008]).

As per claim 2, Azvine and Dowling substantially disclose the method of claim 1. In addition, Azvine further discloses *extracting information relating to the second staff, wherein the displaying includes displaying the information relating to the second staff in the window* (column 7, lines 42 – 60).

As per claim 3, Azvine and Dowling substantially disclose the method of claim 1. In addition, Azvine further discloses *extracting information relating to a meeting between the caller and the second staff, wherein the displaying includes displaying the information relating to the meeting in the window* (column 29, line 45 – column 30, line 25).

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine and Dowling in view of Adams et al. (US 6,631,186 B1).

As per claim 4, Azvine and Dowling disclose the method of claim 1.

Azvine and Dowling do not explicitly disclose that if the response method indicates to deliver a message from the second staff to the caller, the displaying includes displaying contents of the message in the window.

However, in an analogous art, Adams discloses that *if the response method indicates to deliver a message from the second staff to the caller, the displaying includes displaying contents of the message in the window* (column 29, lines 20 – 32 and Figure 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Adams with the method of Azvine and Dowling to develop a method of extracting and displaying color-coordinated caller information wherein if the response method indicates to deliver a message from the second staff to the caller, the displaying includes displaying contents of the message in the window. The modification would have been obvious, because the user would want a means for categorizing communications, as well as for monitoring user responses through the displaying of the responding messages (Azvine, column 1, lines 53 – 65).

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine and Dowling in view of Pepper et al. (US 5,930,700).

As per claim 5, Azvine and Dowling disclose the method of claim 1.

Azvine and Dowling do not explicitly disclose that the method further comprises notifying the second staff by an electronic mail whether a message is delivered to the caller, if the response method indicates to deliver a message from the staff in charge to the caller.

However, in an analogous art, Pepper discloses *notifying the second staff by an electronic mail whether a message is delivered to the caller, if the response method indicates to deliver a message from the second staff to the caller* (column 11, lines 18 – 35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Pepper with the method of Azvine and Dowling to develop a method of extracting and displaying color-coordinated caller information wherein if the response method indicates to deliver the caller a message from the second staff, then notifying the second staff by an electronic mail whether the caller received said message. The modification would have been obvious, because given that the method is to act as assistant to the user to manage communications (Pepper, column 2, lines 62 – 64), the user would want a means for categorizing communications and in turn recommending actions, such as the sending of electronic mail, based on the categorized communication (Azvine, column 1, lines 53 – 65).

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine and Dowling in view of Fultz (US 2002/0156701 A1).

As per claim 6, Azvine and Dowling disclose the method of claim 1.

Azvine and Dowling do not explicitly disclose that the method further comprises notifying the second staff of a change in date or location of a future meeting by an electronic mail, if the response method has not been specified and a future meeting is planned between the second staff and the caller.

However, in an analogous art, Fultz discloses *notifying the second staff of a change in date or location of a future meeting by an electronic mail, if the response method has not been specified and a future meeting is planned between the second staff and the caller* ([0039]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Fultz with the method of Azvine and Dowling to develop a method of extracting and displaying color-coordinated caller information wherein if the caller wishes to change a future appointment, the second staff will be notified of such a change through an electronic message. The modification would have been obvious, because the user would want a means for categorizing communications, such as communications pertaining to meetings, and in turn recommending actions, such as the sending of electronic mail, based on the categorized communication (Azvine, column 1, lines 53 – 65).

10. It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

11. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The cited documents represent the general state of the art.

Response to Arguments

12. Applicant's arguments filed on 3/29/2007 have been fully considered but they are not persuasive.

13. Applicants disagree with the assertion in the Office Action that Azvine discloses the claimed "information processing method for supporting a first staff who answers a telephone call from a caller on behalf of a second staff in charge of the caller, the information processing method comprising: extracting information relating to the caller; ... and displaying, on an information processing apparatus of the first staff, the information relating to the caller in a window with the decided background color,," at column 30, lines 7-25 of Azvine.

The Examiner agrees that the previous Office Action did not disclose the limitations that take into account a second staff, because no second staff had been claimed in the prior set of claims.

14. Applicants have argued that Azvine clearly fails to disclose or suggest the claimed "displaying, on an information processing apparatus of the first staff," as recited in claim 1, because Azvine clearly fails to disclose or suggest the claimed "first staff."

The Examiner disagrees. Azvine does disclose a "first staff" (Abstract), because it has been interpreted that any user of the phone corresponds to a first staff.

15. Applicants have argued that Dowling fails to disclose or suggest (a) the claimed "caller," (B) the claimed "second staff," and (c) the claimed "first staff," as recited, for example, in claim

1, and thus a prima facie case of obviousness based upon Azvine and Dowling cannot be established, and that Azvine and Dowling fail to disclose the limitations of claims 1, 7, or 8.

The examiner disagrees. Dowling suggests the claimed "caller," because incoming calls are disclosed, thus corresponding to a caller. Dowling further suggests the claimed "second staff," because the user that may program and load instructions corresponds to a second staff. Dowling further suggests the claimed "first staff," because any user of the phone corresponds to a first staff. Therefore, a prima facie case of obviousness can be made. Please refer paragraph [0143] and the above rejection of claims 1, 7, and 8.

16. Applicants disagree with the assertion in the Office Action that Azvine, at column 7, lines 42-60 discloses the claimed "extracting information relating to the second staff, wherein the displaying includes displaying the information relating to the second staff in the window," as recited in dependent claim 2.

The Examiner agrees that the previous Office Action did not disclose the limitations that take into account a second staff, because no second staff had been claimed in the prior set of claims.

17. Applicants disagree with the assertion in the Office Action that Azvine at column 29, line 45 to column 30, lines 25, discloses the claimed "extracting information relating to a meeting between the caller and the second staff, wherein the displaying includes displaying the information relating to the meeting in the window," as recited in dependent claim 3.

The Examiner agrees that the previous Office Action did not disclose the limitations that take into account a second staff, because no second staff had been claimed in the prior set of claims.

18. Applicants disagree with the assertion in the Office Action that Adams, at Figure 9, discloses the claimed "wherein if the response method indicates to deliver a message from the second staff the caller, the displaying includes displaying contents of the message in the window," as recited, for example, in dependent claim 4.

The Examiner agrees that the previous Office Action did not disclose the limitations that take into account a second staff, because no second staff had been claimed in the prior set of claims.

19. Applicants have argued that the "Call Status Screen" shown in Fig. 9 of Adams only displays "scheduling options" (see column 18, lines 36-37), and does not display the contents of the message to the caller.

The Examiner disagrees. Area 97 of Figure 9 discloses contents of messages: "Will call you back" and "Call me back later."

20. Applicants disagree with the assertion in the Office Action that Pepper, at column 11, lines 18-25, discloses the claimed "notifying the second staff by electronic mail, if the response method indicates to deliver a message from the second staff to the caller, of whether the message is delivered to the caller," as recited, for example, in dependent claim 5.

The Examiner agrees that the previous Office Action did not disclose the limitations that take into account a second staff, because no second staff had been claimed in the prior set of claims.

21. Applicants have argued that Pepper only sends a message notifying the call (see column 11, lines 23-24) or displays a note giving the caller name and the length of the message (see column 11, lines 28-32 and Fig. 11), and does not notify whether the message is delivered to the caller.

The Examiner disagrees. Notification as to whether a message is delivered to the caller is disclosed in column 11, lines 26 – 28.

22. Applicants disagree with the assertion in the Office Action that Fultz, at paragraph 39, discloses the claimed notifying the second staff by electronic mail, if the response method has not been specified and a future meeting is planned between the second staff and the caller, of a change in date or location of the future meeting," as recited, for example, in dependent claim 6.

The Examiner agrees that the previous Office Action did not disclose the limitations that take into account a second staff, because no second staff had been claimed in the prior set of claims.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Wiener whose telephone number is 571-270-1401. The examiner can normally be reached on Monday through Thursday from 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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